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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/002,944 01/05/98 WUGOFSKI

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EXAMINER

WM01/0131

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ART UNIT

PAPER NUMBER

2611

DATE MAILED:

01/31/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/002,944

Applicant(s)

Wugoftski et al.

Examiner

"Krista" Kleu-Oanh Bul

Group Art Unit

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☒ Responsive to communication(s) filed on Nov 6, 2000

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-20 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Schein et al (U.S. Patent No. 6,002,394).

Regarding claims 1 and 20, Schein et al. (or "Schein" hereinafter) disclose an information handling system (col. 1/lines 19-25), comprising a graphical user interface, i.e., a GUI (col. 13/lines 1-7 & 33-40); wherein the graphical user interface is configured to display a channel list including at least one television channel and at least one scheduled Internet channel concurrently, i.e., at least one TV channel and at least one scheduled internet channel from the Internet broadcaster can be listed on the user's scheduled program guide on certain topics and categories (col. 18/line 44-col. 19/line 18); and wherein the channel list includes graphical and behavioral attributes to determine the graphical user interface for the channel list when displayed in an electronic program guide (Figs. 16A-16B & 21A-21B-21C).

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As for claim 2, Schein further reveals that “wherein the channel list is a favorite channels list” as Schein includes the searching and setting up a list of favorite channels (Figs. 5, 20A and col. 10/lines 40-58).

With respect to claim 3, the step of “wherein the graphical user interface includes an electronic program guide configured to display the channel list” is disclosed by Schein (see col. 6/line 11-col. 8/line 30 for an overview of an electronic program guide system or an EPG system on how to configure to display the channel list).

Concerning claim 4, Schein discloses the step of “further comprising an electronic program database for storing the channel list” as Schein includes either a memory 314 within a cable system or a television database 348 within the television for storing the channel list (Fig. 13/items 314 & 348 and col. 17/lines 35-56).

Regarding claims 5 and 19, in additional view of claim 1 above, the step of “further comprising a convergence system which includes the information handling system” is disclosed by Schein due to the fact that Schein reveals a broadcasting satellite system which transmits data (including voice and video data) to a plurality of users from a distribution center via a service provider can be interpreted as “a convergence system” for broadcasting interactive and non-interactive programs to a plurality of users (see Figs. 1-2 and col. 5/line 37-col. 6/line 10).

As for claim 6, in view of claims 1 and 4 above, Schein further discloses a computerized system for integrating Internet sources into an electronic program database comprising one or more television channels; one or more scheduled Internet channels; one or more channel lists

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integrating the television channels and the internet channels, i.e., at least one TV channel and at least one scheduled internet channel from the Internet broadcaster can be listed on the user's scheduled program guide on certain topics and categories (col. 18/line 44-col. 19/line 18; and Figs. 12, 13, 14 & 15, col. 5/lines 15-50 on the integration of the Internet and regular broadcasting TV channels); and a means for storing each one of the channel lists, for example, as Schein includes either a memory 314 within a cable system or a television database 348 within the television for storing the channel list (Fig. 13/items 314 & 348 and col. 17/lines 35-56).

Regarding claims 7-9, the steps of "further comprising a means for displaying a selected one of the channel lists wherein each one of the channel lists contains one or more stored properties for the means for displaying"; "wherein at least one of the stored properties relates to a graphical attribute of the means for displaying"; and "at least one of the stored properties relates to a behavioral attribute of the means for displaying" are taught by Schein as well (see the rejection of claims 1 and 20 above).

Regarding claims 10-12, the steps of "further comprising one or more user interfaces providing a means for managing for each one of the channel lists"; "wherein the user interfaces provide a management function of selecting the channel list"; and "wherein the user interfaces provide at least one of the management functions selected from the group consisting of adding the television channel, adding the Internet channel, removing the television channel, and removing the Internet channel" are taught by Schein as Schein reveals the technique on how the scheduling structures, the schedule search, the creation of favorite channel lists, the theme search and the

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user interface works and manages in order to create the channel lists based on the user's preferences (see Section 3-7 and 10 from column 9 to column 14 for more detailed explanations).

Regarding claims 13 and 14, Schein also discloses that "wherein the graphical user interface is a channel banner graphical user interface" (Figs. 20B-C & 21A-B); and "wherein the graphical user interface is a favorite channel list graphical user interface" (see Examiner's discussion in claim 2).

Regarding claims 15-18, these claims of "a computer-readable medium having computer-executable components comprising a database component for storing one or more channel lists, at least one of the channel lists integrating one or more television channels and one or more scheduled Internet channels; and a user interface component for displaying the channel lists" are rejected for the reasons given in the scope of the system claims 1-14 and 19-20 (to avoid unnecessary repetitions) as already discussed above.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hidary (US Patent 5,774,664) discloses an enhanced video programming system with EPG. Cragun et al (US Patent 5,973,683) disclose dynamic regulation of television viewing content based on viewer profile and viewing history. Thompson et al. (US Patent 5,961,602) disclose method for optimizing off-peak caching of web data. Matthews, III et al (US Patent 6,025,837) disclose electronic program guide with hyperlinks to target resources.

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4. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
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or faxed to:

(703) 308-6306 or (703) 308-6296, (for formal communications intended for entry)

Or:

(703) 308-5399, (for informal or draft communications, please label
"PROPOSED" or "DRAFT").


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Krista Bui
Art Unit 2611
January 16, 2001


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600